

ZONING REPORT

Case 1123-01

Applicant & Subject Property

District: 4
Owner: Birdie Waldron LLC
Applicant: Birdie Waldron LLC
Address: 3409 Waldron Road, located along the east side of Waldron Road, south of Caribbean Drive, north of Yorktown Boulevard, and west of Jamaica Drive.
Legal Description: Lot 1, Block 3, Bayberry Terrace
Acreage of Subject Property: 3.13 Acres
Pre-Submission Meeting: August 31, 2023

Zoning Request

From: "RS-6" Single-Family 6 District
To: "RS-6/SP" Single-Family 6 District with a Special Permit
Purpose of Request: To allow for commercial uses, specifically a fitness center and an indoor sports venue.

Land Development & Surrounding Land Uses

	Zoning District	Existing Land Use	Future Land Use
Site	"RS-6" Single-Family 6	Public/Semi-Public (Former site of Cornerstone Church)	Medium-Density Residential
North	"RS-6" Single-Family 6	Low-Density Residential, (Bayberry Terrace Subdivision)	Medium-Density Residential
South	"RS-6" Single-Family 6	Vacant	Medium-Density Residential
East	"RS-6" Single-Family 6	Low-Density Residential, (Caribbean Place Unit 3 Subdivision)	Medium-Density Residential
West	"RS-6" Single-Family 6	Public/Semi-Public, (NOLF Waldron Airfield)	Transportation

Plat Status: The subject property is platted per MRNCT (Map Records of Nueces County, Texas) Volume 58 Page 25.

Military Compatibility Area Overlay District (MCAOD, Effective August 22, 2022): Yes. The subject property is outside any of the NOLF (Naval Outlying Field) Waldron's AICUZ (Air Installations Compatibility Use Zones) zones; however, it is within the light and vertical obstruction subzones of the base.

Code Violations: None.

Transportation and Circulation

	Designation	Section Proposed	Section Existing
Waldron Road	"A1" Minor Arterial, undivided	4 Lanes, 95 feet	2 Lanes, 80 feet

Transit: The Corpus Christi RTA provides service to the subject property via route *4 Flour Bluff* along Waldron Road. Route *4 Flour Bluff* loops around the site starting at Caribbean Drive, through Jamacia Street and Mediterranean Drive, back to Waldron Road towards South Padre Island Drive.

Bicycle Mobility Plan: The subject property is approximately 2,700 feet away from a proposed bike boulevard along Yorktown Boulevard south of the site and, equally north of the site, along a ditch.

Utilities

Gas: A 2-inch WS line exists along Waldron Road.

Stormwater: A 24-inch RCP line exists along the west side of Waldron Road.

Wastewater: A 6-inch PVC main exists at the rear of the property line.

Water: A 12-inch ACP line along the east side of Waldron Road.

Corpus Christi Comprehensive Plan (Plan CC)

Plan CC: Provides a vision, goals, and strategies, to guide, regulate, and manage future development and redevelopment within the corporate limits and extraterritorial jurisdiction (ETJ) was adopted in 2016.

Area Development Plan (ADP): According to Plan CC the subject property is located within the Flour Bluff Area Development Plan (Adopted on June 22, 2021).

Water Master Plan: No improvements have been proposed.

Wastewater Master Plan: No improvements have been proposed.

Stormwater Master Plan: No improvements have been proposed.

Public Notification

Number of Notices Mailed:	30 within a 200-foot notification area 2 outside 200-foot notification area
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In Opposition:	1 inside the notification area 0 outside the notification area 2.16% in opposition within the 200-foot notification area (1 individual property owner)
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Public Hearing Schedule

Planning Commission Hearing Date: November 29, 2023

City Council 1st Reading/Public Hearing Date: January 9, 2024

City Council 2nd Reading Date: January 23, 2024

Background:

The subject property is a 3.13-acre parcel and the former site of the Cornerstone Church in South Flour Bluff, east of the NOLF (Naval Outlying Field) Waldron airfield and Waldron Road, north of Mediterranean Drive, and South of Caribbean Drive.

The nearby NOLF Waldron and TRUAX airfields were established in Flour Bluff prior to the annexation of the area, with Medium-Density Residential uses becoming the predominant use over the years. The area wide rezoning of 1983, in tandem with the 1978 AICUZ (Air Installations Compatibility Use Zones) study regarding incompatible uses around the base, classified most of the lands around the base for agriculture. General commercial districts in the

Flour Bluff area are located along South Padre Island Drive; with neighborhood commercial districts limited and scattered.

The subject property is zoned "RS-6" Single-Family 6 District with a Public/Semi-Public use and is within the MCAOD's (Military Compatibility Area Overlay District) light and vertical obstruction subzones. To the north and east of the subject property are "RS-6" Single-Family 6 zoned, low-density, residential subdivisions; Bayberry Terrace and Caribbean Place Unit 3 respectively. The vacant and undeveloped parcel to the south is owned by the applicant and may be developed into a soccer field at a later date. NOLF Waldron airfield is to the west of the subject property and is zoned "RS-6" Single-Family 6 District.

The applicant is requesting a special permit to convert (adaptive reuse) the former Cornerstone Church facilities into a fitness center and an indoor sports venue. Development Services, thus far, is in receipt of the interior demolition permits for the future 12,500 square feet fitness center and 22,400 square feet venue.

The "RS-6" Single-Family 6 District provides for orderly suburban residential development and redevelopment. A limited number of public and civic uses are allowed, subject to the restrictions necessary to preserve and protect the single-family character of the neighborhood.

Plan CC (The City of Corpus Christi Comprehensive Plan) Consistency:

The proposed rezoning is consistent with the following Goals and Strategies for Decision Makers:

- *Future Land Use, Zoning, and Urban Design:*
 - Corpus Christi development patterns support efficient and cost-effective use of resources and high quality of life:
 - Encourage orderly growth of new residential, commercial, or industrial areas.
 - Promote a balanced mix of land uses to accommodate continuous growth and promote the proper location of land uses based on compatibility, location needs, and characteristics of each use.
 - Screening, fences, open spaces, and landscaping can provide the essential buffer.

Flour Bluff ADP (Area Development Plan) and FLUM (Future Land Use Map) Consistency:

The proposed rezoning is consistent with broader elements of the Flour Bluff ADP; the base zoning of RS-6 is consistent with the FLUM's designation of Medium-Density Residential. The Flour Bluff ADP, adopted in 2021, encourages:

- Developments compatible with the nearby naval base.
- Access to daily necessities to enhance everyday life in Flour Bluff under Strong Local Economy vision theme.
- The provision of uses that would supplement recreational uses lacking in the area.

Staff Analysis:

Staff reviewed the subject property's background information and the applicant's purpose for the rezoning request and conducted research into the property's land development history to include platting, zoning, existing surrounding land uses, and potential code violations. Staff compared the proposed zoning's consistency with the applicable elements of the comprehensive plan. As a result of the above analysis, staff notes the following:

- The proposed rezoning is consistent with many goals of *Plan CC* (The City of Corpus Christi Comprehensive Plan); the base zoning of RS-6 is consistent with the FLUM's (Future Land Use Map) designation of Medium-Density Residential.
- The subject property is within the MCAOD (Military Compatibility Area Overlay District) overlay of the NOLF Waldron airfield. It is outside of any of the accident potential zones (CZ-Clear Zone, APZ I-Accident Potential Zone I, and APZ II-Accident Potential Zone II); however, the parcel is within the light and vertical obstruction subzones of the base established by the 2022 ordinance.
- The Waldron and TRUAX fields have long driven the development patterns in the Flour Bluff area. Outside of both of the airfields' safety zones, the predominant land use is residential with general commercial uses concentrated along South Padre Island Drive (measured to be approximately 2 miles) and limited neighborhood commercial districts scattered throughout the South Flour Bluff area. A need for zoning districts that can host neighborhood services, as implicitly voiced by the residents of the area during the drafting of the ADP (Area Development Plan), was addressed under the Flour Bluff ADP vision theme of a Strong Local Economy. The proposed development can supplement the availability of daily necessities services and community facilities within the neighborhood and area.
- The applicant requested an adjustment to the parking requirement for the proposed development. Development Services found their parking provision to be acceptable based on the parking ratio of the soon-to-be adopted UDC (Unified Development Code). Instead of the 1:250 (square feet being the unit of measure) ratio for a fitness center, the updated code will require a minimum of 1:500 and 1:3 (seats being the unit of measure) for an indoor sports venue with seating instead of the 1:100 (square feet). This is determined as one of the means to limit traffic impact.
- Staff determined that the proposed development met the Special Permit criteria of a proposed use consistent with Plan CC, that complements and is compatible with surrounding uses, and is limited in adverse impacts it may have on the existing infrastructure.
 - The requested amendment is compatible with the present zoning and conforming uses of nearby property and to the character of the surrounding area.
 - The proposed uses are permitted in the Neighborhood Commercial District; therefore, can be sited within a neighborhood. The physical appearance, hours of operation and conduct of the use will not generate any nuisance, spillover lighting that will detrimentally affect the residential character of the area. The adjacent and neighboring uses will not adversely be affected since the structures and similar activities have existed for over 15 years.
 - Both structures are setback at least 30 feet away and fenced in; surpassing the minimum buffer requirement.
 - While a fitness center generates traffic on a daily basis, an indoor sports venue will generate activities that are organized and scheduled.
 - The zoning map amendment will not have a negative impact upon the surrounding neighborhood.
 - The site of the proposed use is suitable for the proposed development. It is not within a safety subzone of the MCAOD.
 - The applicant's proposal has been weighed against the capacity of Waldron Road, a designated A1 class arterial functioning as a collector, to support such development. While the total area of the two facilities measure approximately 35,000 square feet, staff determined that site

items such as the approved-adjusted parking provision, and interior spaces that do not factor into occupancy load such as circulation spaces, storage rooms, restrooms, and courts, will help reduce development strain on the surrounding area.

- Staff also considered the possibility of the proposed development altering the character of the area. The Waldron base limits development to the south (due to a designated CZ-Clear Zone), the applicant is planning to develop the adjacent parcel into a soccer field at a future date, there are established residential subdivisions to the north and east. The scenario of commercial use being enlarged is severely limited.
- Special Permits require a review by the Technical Review Committee, and Development Services Engineering and the Streets Department do not anticipate any adverse or significant impact on the existing infrastructure.

Planning Commission and Staff Recommendation (November 29, 2023): After evaluation of case materials provided and subsequent staff analysis including land development, surrounding uses and zoning, transportation and circulation, utilities, Comprehensive Plan consistency, and considering public input, Planning Commission and Staff recommend approval of the change of zoning from the “RS-6” Single-Family 6 District to the “RS-6/SP” Single-Family 6 District with a Special Permit Overlay.

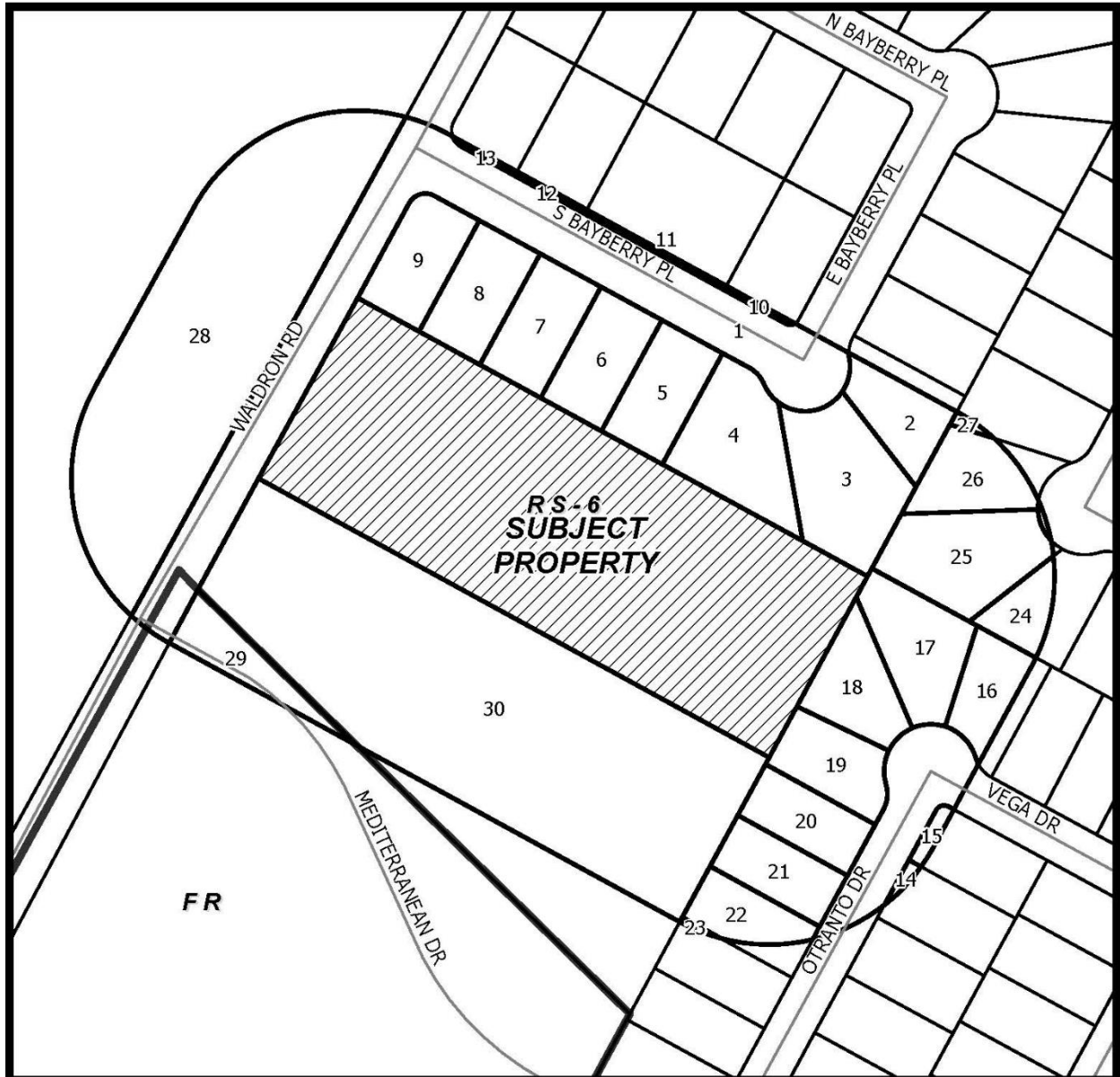
The Special Permit to be granted is subject to the following conditions:

1. **Uses:** The only uses authorized by this Special Permit other than uses permitted in the base zoning district are a fitness center and an indoor sports venue. Expansion of the uses granted by this special permit is prohibited.
2. **Parking:** Parking shall be required at a ratio of 1:280 Parking Ratio.
3. **Landscaping:** Vehicular screening along Waldron Road shall be the only required landscaping as per UDC (Unified Development Code) Section 7.3.11 *Landscaping Specification Applicable for all Zones.*
4. **Dumpster:** Refuse containers must be provided in a place accessible to collection vehicles and must be screened from street rights-of-way and views from adjacent residential properties. Screening must be composed of a solid or opaque material that matches or compliments the building material.
5. **Buffer Yard:** A type A buffer yard consisting of at least 5 feet and 5 points shall be installed, maintained, and remain in place along the north and east property boundaries as long as residential districts or uses are adjacent.
6. **Lighting:** All lighting must be shielded, directed away from adjacent residences, and nearby streets. Freestanding pole lights are not allowed within 50 feet of the property line of residential zoning districts. No light source shall exceed a height of 15 feet. Lighting must be compliant with the MCAOD (Military Compatibility Area Overlay District) overlay. LED or internally illuminated lighting are prohibited.
7. **Signage:** One freestanding sign shall be allowed. The freestanding sign must be a monument sign, which shall not exceed 8 feet in height and 32 square feet in area. Existing signs are allowed to be maintained per UDC Section 9.3.
8. **Hours of Operation:** The hours of operation shall be limited from 7:00 AM to 10:00 PM. Customer access to the facility shall be prohibited after 10:00 PM.

9. **Time Limit:** In accordance with the UDC, this Special Permit shall be deemed to have expired within 12 months of this ordinance unless a complete building permit application has been submitted, and the Special Permit shall expire if the allowed use is discontinued for more than six consecutive months.

Attachment: (A) Existing Zoning and Notice Area map, (B) Aerial Map, (C) AICUZ (Air Installations Compatibility Use Zones) Map, (D) Proposed Development Site Plan, (E) Returned Notice (F) Alternative Parking Analysis

Attachment A: Existing Zoning and Notice Area



CASE: 1123-01 Zoning and notice Area

RM-1	Multifamily 1	IL	Light Industrial
RM-2	Multifamily 2	IH	Heavy Industrial
RM-3	Multifamily 3	PUD	Planned Unit Dev. Overlay
ON	Professional Office	RS-10	Single-Family 10
RM-AT	Multifamily AT	RS-6	Single-Family 6
CN-1	Neighborhood Commercial	RS-4.5	Single-Family 4.5
CN-2	Neighborhood Commercial	RS-TF	Two-Family
CR-1	Resort Commercial	RS-15	Single-Family 15
CR-2	Resort Commercial	RE	Residential Estate
CG-1	General Commercial	RS-TH	Townhouse
CG-2	General Commercial	SP	Special Permit
CI	Intensive Commercial	RV	Recreational Vehicle Park
CBD	Downtown Commercial	RMH	Manufactured Home
CR-3	Resort Commercial		
FR	Farm Rural		
H	Historic Overlay		
BP	Business Park		

-  Subject Property with 200' buffer
-  Owners in favor
-  Owners within 200' listed on attached ownership table
-  Owners in opposition

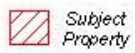


Attachment B: Aerial Map

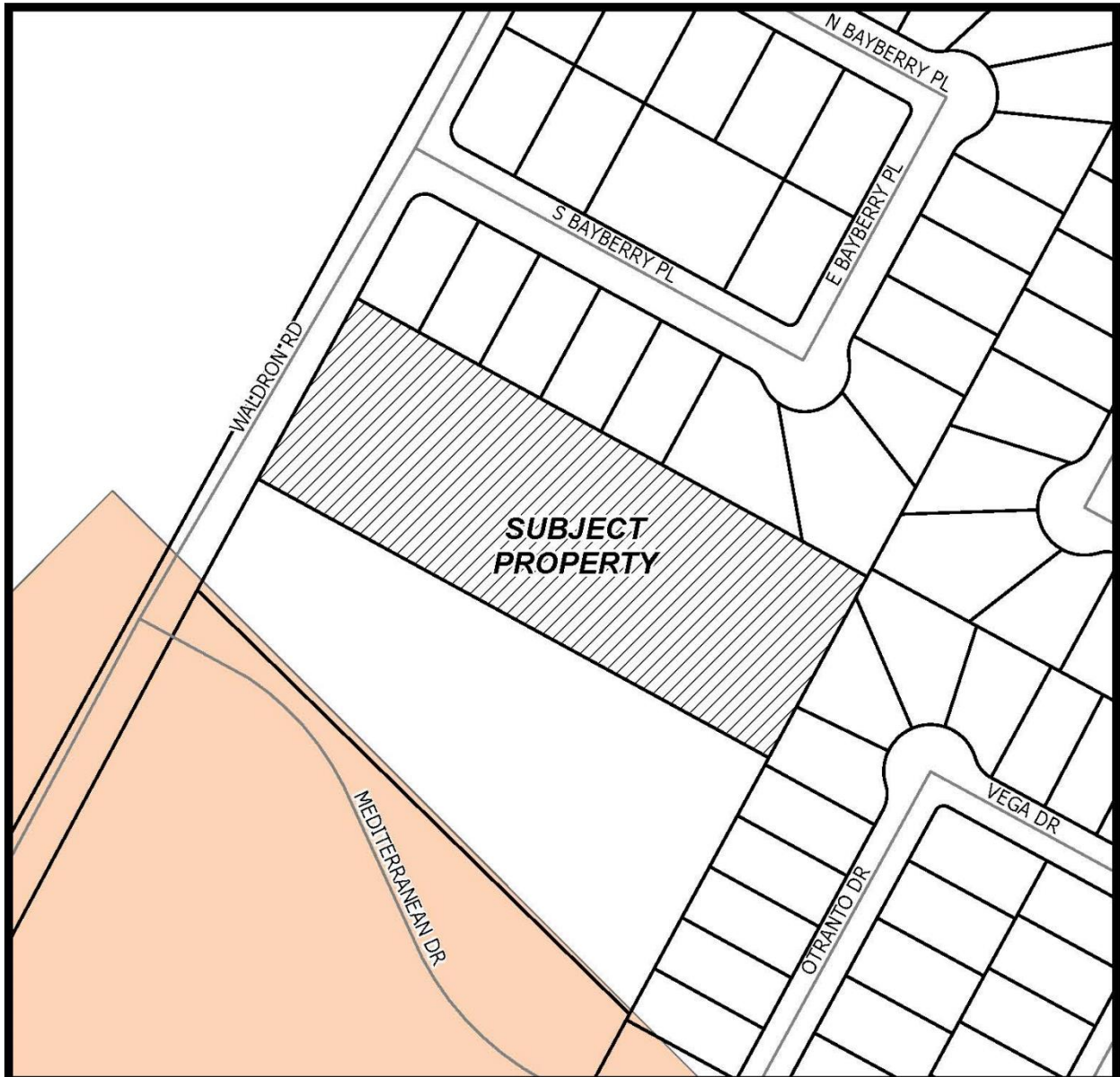


CASE: 1123-01

Aerial View






Attachment C: AICUZ (Air Installations Compatibility Use Zones) Map



CASE: 1123-01

AICUZ

-  APZ-1
-  APZ-2
-  CZ



Attachment E: Returned Notice

PUBLIC HEARING NOTICE
CITY PLANNING COMMISSION
Rezoning Case No. 1123-01

Birdie Waldron LLC has petitioned the City of Corpus Christi to consider a change of zoning from the "RS-6" Single-Family District to the "RS-6/SP" Single-Family District with a Special Permit, not resulting in a change to the Future Land Use Map. The property to be rezoned is described as:

A property located at or near 3409 Waldron Road and described as Lot 1, Block 3, Bayberry Terrace, located along the east side of Waldron Road, south of Caribbean Drive, north of Yorktown Boulevard, and west of Jamaica Drive. Please see the map on the reverse side.



The Planning Commission will conduct a public hearing to discuss and formulate a recommendation to the City Council. The public hearing will be held on Wednesday, November 29, 2023, during one of the Planning Commission's regular meetings, which begins at 5:30 p.m., in the 6th Floor Conference Room at City Hall, 1201 Leopard Street. You are invited to attend this public hearing to express your views on this rezoning request.

The Planning Commission may recommend to the City Council approval or denial, or approval of an intermediate zoning classification and/or Special Permit. Approval of a change of zoning, if inconsistent with the City's Comprehensive Plan, will also have the effect of amending the Comprehensive Plan to reflect the approved zoning. For more information, please call (361) 826-3240.

Persons with disabilities planning to attend this meeting, who may require special services, are requested to contact the City Secretary's Office at least 48 hours in advance at 361-826-3240.

Si usted desea dirigirse al Consejo de Ajuste y su inglés es limitado, habrá un interprete en la junta para ayudarle. Para más información, favor de llamar al Departamento de Servicios de Desarrollo (361) 826-3240.

NOTE: In accordance with the Planning Commission By-Laws, no discussion shall be held by a member or members of this Commission with an applicant or appellant concerning an application or appeal, either at home or office, or in person, by telephone call or by letter.

7 Tex. Admin. Code §211.006(d), Corpus Christi Unified Dev. Code §3.3.4

To be on the record, this form must be filled out, signed by the current property owner(s), and returned in its entirety via mail to the return address on this notice or via email to zoning@cctexas.com.

Property Owner(s) Name: Troy D Owens & Holly A Owens

Address: 543 S. Bayberry Pl 78418 Phone No: 361-834-8982

() IN FAVOR IN OPPOSITION

REASON: Safety for my family, Privacy from the public, property values will decrease, Cost for fencing, Traffic increase & road use - more pot holes
NO turning lane, will hold up traffic flow, increased ~~the~~ chance for traffic accidents.

Signature: Holly Owens
Troy Owens

Planner Assigned: Saradja Registre
Email: SaradjaR@cctexas.com
Phone: 361-826-3574
INFOR Case No: ZN8033
Property Owner ID: